

REMARKS**INTRODUCTION**

In accordance with the foregoing, claims 1-11 have been amended, and claims 12-15 have been added, with no new matter being submitted.

Claims 1-15 are pending and under consideration.

CLAIM OBJECTIONS AND 112 REJECTIONS

In view of the above referenced amendments to the claims, it is respectfully submitted that the outstanding objections and § 112 rejections are now moot. It is further respectfully submitted that the amendments to the claims have not changed the scope or breadth of the same, but merely re-describe the claimed invention with equivalent description.

REJECTIONS UNDER 35 USC 103

Claims 1, 3, 4, and 6-8 stand rejected under 35 USC § 103 as being obvious over Burke, U.S. Patent No. 6,032,162, in view of Harding, U.S. Patent No. 6,307,544. This rejection is respectfully traversed.

By way of review and as an example, independent claim 1 sets forth:

"[a]n advertising method, using a web browser, comprising:

detecting a moving state of a cursor on a display screen of the web browser when the web browser is being displayed;

displaying an advertising logo and/or phrase in an area of a command input box where at least one of a menu bar, a location bar, and/or a browser logo of the web browser are to be displayed when the cursor is detected to not be positioned in the area of the command input box; and

displaying the menu bar, tool bar, and/or location bar in the area of the command input box when the cursor is detected to be positioned in the area of the command input box."

The remaining independent claims include at least a similar selective displaying of an advertisement or a menu bar, tool bar, location bar, and/or browser logo in similar areas of a display for a browser, i.e., if the cursor is within an area of the menu bar, tool bar, location bar, and/or browser logo then the corresponding menu bar, tool bar, location bar, and/or browser logo is displayed, alternatively an advertisement is displayed.

The Office Action relies on Burke appears to disclose a web browser directed to remote bookmark access, with areas of the browser display including browser control information/buttons, outside of a text area including downloaded html data, and advertisements. Burke does not disclose any selective display switching between control information/button display and advertisement based on a cursor placement.

To disclose this selective element, the Office Action relies on Harding, which discloses a help system that permits the display of more detailed additional information/options for a user when a user hovers a cursor over a corresponding area. The more detailed additional information/options include more detailed information or options for the initial item where the cursor is hovered over. This would appear similar to word processing programs that display more menu items, of a menu list, when a cursor is hovered over an area of the menu list, so the menu list can be simplified.

In Harding, the purpose of permitting the additional information/options for the user is not really to simplify the display of an item, but rather to permit a user to view more information related to an area/item. Harding provides an example of hovering over a button and having a menu list appear near that button providing more information about that button and additional operations related to that button.

To disclose the aforementioned selective switching between displaying of the menu bar, tool bar, location bar, and/or browser logo or an advertisement, upon the movement of a cursor to the menu bar, tool bar, location bar, and/or browser logo area, the Office Action sets forth that it would have been obvious to incorporate the hovering/menu feature of Harding into Burke.

Particularly, the Office Action states: "[w]hile Burke teaches adds and menus in these screen regions, Burke does not teach dynamic display of them based upon a user's mousing properties. Harding teaches a GUI for a software application whereby when a user's mouse hovers over a particular area of the interface, clickable, cascading menus appear in order to launch other applications or applets."

The rationale for the combination is stated to be that "[i]t would have been obvious to one of ordinary skill at the time of the invention to have provided the advertising of Burke in the suggested screen areas and dynamically changed such screen regions to popup menus for further browser functionality when a user hovers the mouse in the area in order to provide an easy to [use] graphical interface."

Thus, the underlying reason for modifying Burke to include the dynamic hovering/menu features of Harding is "to provide an easy to [use] graphical interface."

However, it is respectfully submitted that without first reading the present application, one skilled in the art would not have had any reason/desire to make the proffered modification of Burke.

As noted above, Burke appears to be directed toward improved bookmarks access using a remote server. As a side note, Burke illustrates a typical browser display and indicates that two areas could include advertisement and typical browser control information/buttons. Thus, in passing, Burke discusses display of advertisement and typical browser control information/buttons, while the primary focus of the Burke disclosure is directed toward the improved server accessible bookmarks.

On the other hand, Harding would appear to be unrelated to either server access of bookmarks or to advertisement displaying. The focus in Harding is on providing "clickable, cascading menus," upon a cursor hovering over a particular item/button. The only correlation between Burke and Harding would appear to be that both would have cursors and operate within a computer application. At most, it could only be argued that the disclosure of Harding may lead one to incorporate the invention thereof in the browser of Burke, i.e., add the cascading menus option to Burke when a cursor hovers over an item/button.

The Office Action indicates that it would have been obvious to make the modification of Burke to dynamically switch advertisements with the claimed tool bar, menu bar, navigation bar, and/or browser logo, since the underlying principle of Harding is the dynamic aspect of performing some operation based on a hovering of the cursor.

However, it is respectfully submitted that it is a huge leap from Harding disclosing cascading menus based on a hovering of the cursor to completely changing the display operation of Burke to dynamically switch between an advertisement and the claimed tool bar, menu bar, navigation bar, and/or browser logo.

Essentially the Office Action is taking a dynamic menu display operation and picking and choosing how to incorporate it into Burke to disclose the presently claimed invention, when there would not appear to be any reason for the same without reliance on the disclosure of the present application. Again, there is no disclosure or suggestion in Harding to dynamically switch between displaying an advertisement and a tool bar, menu bar, navigation bar, and/or browser logo.

Thus, it is respectfully submitted that it would not have been obvious to modify Burke, as proffered. It is further submitted that neither Harding nor Burke disclose or suggest the proffered combination. Even if the two inventions are combined, they still would not disclose the presently claimed invention.

Lastly, it is noted that the primary motivation for making the aforementioned combination is presently "to provide an easy to [use] graphical interface." It would appear that this motivation is merely the opinion of the Examiner, and lacking support in the cited references. It is respectfully requested that any further Office Actions particularly provide concrete support for the recited motivation and detailed correspondence between the same and the proffered combination features.

Therefore, for at least the above, it is respectfully submitted that a prima facie obviousness case has not been set forth. The proffered motivation lacks concrete support from the record, the proffered combination would not have been combinable as suggested, and there would not have been any reason to modify Burke to take the dynamic aspect of Harding without basing the same on the disclosure of the present application.

For at least the above, it is respectfully requested that this rejection of claims 1-11 be withdrawn and claims 1-15 be allowed, including new claims 12-15 setting forth the previous multiple dependency of claims 5-7 and 10 into single dependent claims.

Claims 5 and 9 stand rejected under 35 USC § 103 as being obvious over the combination of Burke and Harding, in further view of Hoyle, U.S. Patent No. 6,628,314. This rejection is respectfully traversed.

It is respectfully submitted that Hoyle at least fails to disclose the aforementioned deficient features and motivation necessary for combining Burke and Harding or even further modifying the combination of the same to disclose the presently claimed invention.

Therefore, for at least the above, it is respectfully submitted that claims 5 and 9 are in proper condition for allowance.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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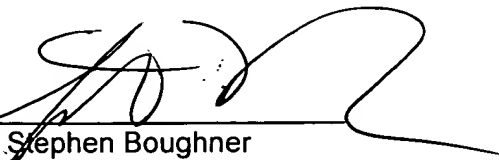
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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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